

## **WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE:           HEALTH SERVICES**

**DATE:                   OCTOBER 24, 2008**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS     SOKOL  
                      HASKELL  
                      THOMAS  
                      TESSIER  
                      CHAMPAGNE  
                      O' CONNOR

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR     SHEEHAN

**OTHERS PRESENT:**

BARBARA TAGGART, ADMINISTRATOR OF WESTMOUNT HEALTH FACILITY

REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:

PAT AUER, DIRECTOR

SHARON SCHALDONE, ASSISTANT DIRECTOR

GINELLE JONES, ASSISTANT DIRECTOR OF PUBLIC HEALTH

TAMMIE DELORENZO, CLINICAL & FISCAL INFORMATICS COORDINATOR

TAWN DRISCOLL, FISCAL MANAGER

FREDERICK MONROE, CHAIRMAN

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND FISCAL SERVICES

JOAN SADY, CLERK OF THE BOARD

KEVIN GERAGHTY, BUDGET OFFICER

SUPERVISORS     MERLINO

STEC

STRAINER

VANNES

JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE AND FISCAL SERVICES

RICK MURPHY, DEPUTY COMMISSIONER OF FISCAL SERVICES

ALYSON MARTIN, *THE POST STAR*

CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Sokol called the meeting of the Health Services Committee to order at 10:03 a.m.

Motion was made by Mr. Thomas, seconded by Mr. O'Connor and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Barbara Taggart, Administrator of Westmount Health Facility, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Taggart stated that the first item on the agenda was an update on the air handlers at Westmount Health Facility. She said that a letter from Thermal Environmental Sales, Inc. had been included in the agenda packet, which extended the warranty on both units until November 1, 2009. She noted that there would be one more adjustment to the air handlers which would be completed on November 1, 2008. She added that both units were working well. Mr. Champagne asked if any difference had been noticed and

Ms. Taggart replied affirmatively.

Ms. Taggart requested transfers of funds from various account codes in an amount totaling \$15,740 in order to cover shortfalls in various budget codes. She explained that the transfers were to cover the cost of sick leave incentives, the purchase of various equipment and the rental of oxygen tanks. Mr. Haskell questioned the sick leave incentives and Ms. Taggart responded that they were transferring funds in order to pay out the sick leave incentive in December.

Motion was made by Mr. Haskell, seconded by Mr. Champagne and carried unanimously to approve the transfers of funds, as outlined above and to forward same to the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

Ms. Taggart requested to amend the 2008 County budget to increase estimated revenues and appropriations, for an amount totaling \$1,190, to reflect the receipt of Health Care Reform Act (HCRA) Recruitment and Retention Grant funding to be used to cover the cost of advertising fees (\$700) and nursing conference fees (\$490).

Motion was made by Mr. Thomas, seconded by Mr. Haskell and carried unanimously to approve the requests to amend the 2008 County budget as outlined above and to forward same to the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

Ms. Taggart requested to amend the 2008 County budget to increase estimated revenues and appropriations, for an amount totaling \$100,000, to reflect the receipt of Medicaid 2007/2008 Transition payment.

Motion was made by Mr. Champagne, seconded by Mr. Thomas and carried unanimously to approve the request to amend the 2008 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Taggart apprised that they had received a notice from the New York State Department of Health that an appeal was in the process of being reviewed by the Office of Health Systems Management in the amount of \$3,605,210. She added that the final certified cost analysis had been approved for the Westmount upgrade and the replacement of equipment, which included the laundry, the HVAC (heating, ventilation and air conditioning), the kitchen, the co-generation and the construction of the building for the co-generation. Hal Payne, Commissioner of Administrative and Fiscal Services, explained that the letter meant that the State had accepted the construction and the co-generation and would begin reimbursement. Ms. Taggart advised that there would be four more budget phases prior to reimbursement. Mr. Champagne questioned the projection for the amount of reimbursement and Mr. Payne responded that it would be reimbursed on a depreciation basis.

Ms. Taggart stated that reports on overtime usage and staffing levels had been

included in the agenda packet. She said that on the request of Mr. Geraghty she had prepared a two-week spreadsheet which included all overtime earned during the two-week period and the reason for the overtime; a copy of the spreadsheet is on file with the minutes. Mr. O'Connor commented that it was difficult to find Certified Nursing Assistants (CNA) to work at Westmount Health Facility. Ms. Taggart said that there were many variables as to why overtime was necessary including, vacations, medical leaves, personal time, maternity leave and coverage for those who call in sick. Mr. O'Connor responded that the amount of overtime would be reduced if the facility was fully staffed.

Discussion ensued.

Ms. Taggart apprised that the facility had held their bi-annual memorial service on Wednesday, October 22, 2008. She noted that the service had been attended by approximately 50 family members and added that a former resident's family had catered the event.

Ms. Taggart noted that one of the residents at Westmount Health Facility would be turning 104 years old on November 29, 2008. She said the event would be celebrated with a birthday cake and a write-up and photo would appear in *The Post Star*.

This concluded the Westmount Health Facility portion of the meeting and Ms. Taggart exited at 10:15 a.m.

Privilege of the floor was extended to Pat Auer, Director of Public Health, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Auer stated that the first item on the agenda was an update on the Point of Care (POC) Initiative. She noted that the project was progressing on schedule and there had been no major problems. Tammie DeLorenzo, Clinical & Fiscal Informatics Coordinator, said that the program would go live next week and Delta Healthcare Technologies would return in December to walk them through a billing cycle. She stated that on January 13, 2009 the first group of nurses would be trained on the program.

Mr. Champagne asked if there had been any glitches. Sharon Schaldone, Assistant Director of Public Health, explained that they would be entering in excess of 700 patient records into the new system and although there had been no glitches, it was very time consuming. Ms. DeLorenzo said that the core team, which consisted of fourteen employees, met on a weekly basis. She noted that the Telehealth Program had ensured that the nurses were more technically savvy.

Mr. Tessier entered the meeting at 10:25 a.m.

Ms. Auer advised that a report on the monthly activities for Emergency Preparedness Planning was included in the agenda packet. She said that they were very busy with flu vaccines and although the vaccine was readily available through physicians, the

Public Health Department had not seen a decrease in the number of people attending the clinics.

Ms. Auer requested a contract with Wendy Hill to provide services for blind and visually impaired children in the Early Intervention Program, terminating with thirty days written notice by either party, at the agreed upon established per individual rate to be paid on a bi-monthly basis upon receipt of the required documentation for each visit. She noted that they currently had two visually impaired children in the Early Intervention Program that required the service. She added that the rates for this services were set by the New York State Department of Health.

Motion was made by Mr. Haskell, seconded by Mr. Champagne and carried unanimously to authorize a contract with Wendy Hill as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the November 21, 2008 Board meeting.*

Ms. Auer requested authorization for out-of-state travel for Kathleen Meath, Public Health Nurse, to attend the 2009 National Immunization Conference at the Sheraton Dallas Hotel in Dallas, Texas on March 30, 2009 through April 2, 2009. She noted that with the exception of the employee's salary, all costs would be covered by the New York State Association of County Health Officials (NYSACHO).

Motion was made by Mr. Haskell, seconded by Mr. Thomas and carried unanimously to authorize the out-of-state travel as outlined above. *A copy of the Authorization to Attend Meeting or Convention is on file with the minutes and the necessary resolution was authorized for the November 21, 2008 Board meeting.*

Ms. Auer requested authorization for Marietta Anderson, Supervising Nurse of the Home Care Division, to attend the Home Care Association of New York Clinical and Technology Conference at the Holiday Inn on Wolf Road in Albany, New York on November 5, 2008, using a Health Services fleet vehicle. She noted that the cost of the conference was \$199 and the funds were available in the budget.

Motion was made by Mr. Tessier, seconded by Mr. Thomas and carried unanimously to authorize Ms. Anderson to attend the conference as outlined above. *A copy of the Authorization to Attend Meeting or Convention is on file with the minutes.*

Ms. Auer requested authorization to ratify the submission of two mini-grant proposals to the Greater Adirondack Perinatal Network and to authorize receipt of funding for both grants in the amount of \$460 and \$900. She also requested to amend the 2008 County budget to increase estimated revenues and appropriations, in the amount of \$1,360, to reflect the receipt of the grant funding.

Motion was made by Mr. Champagne, seconded by Mr. Thomas and carried unanimously to ratify the submission to the two mini-grant proposals, authorize receipt of the funding and approve the request to amend the 2008 County budget as outlined above and to forward same to the Finance Committee. *Copies of the resolution request*

*forms are on file with the minutes and the necessary resolution was authorized for the November 21, 2008 Board meeting.*

Ms. Auer requested authorization to fill the vacant position of Supervising Public Health Nurse, base salary of \$54,251, Employee No. 9034, due to retirement. She noted that the position would be vacant as of January 2, 2009. Mr. Champagne asked if it was possible to leave the position vacant and Ms. Auer responded that the position was necessary to the Department. She noted that Mr. Payne had suggested that if an in-house candidate applied for the vacant position they should request to backfill that position, as well.

Motion was made by Mr. Haskell, seconded by Mr. O' Connor and carried unanimously to approve the request to fill the vacant position of Supervising Public Health Nurse, as well as a Public Health Nurse position, due to promotion if the vacancy was filled in-house and to forward same to the Personnel Committee. *Copies of the Notice of Intent to Fill Vacant Position are on file with the minutes.*

Ms. Auer requested to amend the 2008 County budget to increase estimated revenues and appropriations, in the amount of \$15,399, to reflect the receipt of Immunization Action Plan Grant funding. She said that when the grant had been received all of the funds had been placed into revenues and the amendment was merely to appropriate the portion of the grant that was used for additional expenses other than salary.

Motion was made by Mr. O'Connor, seconded by Mr. Thomas and carried unanimously to approve the request to amend the 2008 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Auer requested to amend the 2008 County budget to increase estimated revenues and appropriations, in the amount of \$12,000, to reflect the receipt of Disease Program Immunization Revenue. She explained that the funds were to cover the cost of purchasing the Zostovax vaccine, which was a vaccine for shingles. She added that the vaccine was not available through physicians and Warren County Public Health was the only resource for those who wanted to receive the vaccination. She noted that the vaccines were reimbursable through either private pay or insurance billing.

Motion was made by Mr. Tessier, seconded by Mr. Champagne and carried unanimously to approve the request to amend the 2008 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Auer requested authorization for a contract with Behan Communications, Inc. for advertising services for the Tobacco Control Program, commencing November 24, 2008 and terminating February 28, 2009, for an amount not to exceed \$9,898. She noted that Behan Communications, Inc. had been the only company that had responded to the Request for Proposal. Mr. Haskell asked where the funds would come from and Ms. Auer responded that they were funds which had been appropriated for the Tobacco

Entitlement Preventive Program.

Motion was made by Mr. Haskell, seconded by Mr. Champagne and carried unanimously to authorize the contract with Behan Communications, Inc., as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the November 21, 2008 Board meeting.*

Ms. Auer apprised that the Department had been surveyed this spring by the New York State Division of Home Care and had received two infractions. She added that the Division of Home Care had returned for a second visit and had informed them that they would not return for three years. She added that one of the infractions was still remaining; however, she continued, it would be taken care of by the POC Program. Ms. Schaldone reported that one of the infractions was that the Department was supposed to have the medical orders out and back within thirty days and two of the records had not met this criteria.

Ms. Auer noted that they had decided to delay the Fluoride Presentation until the December meeting.

Referring to the Report on Expenditures and Revenues, Ms. Auer asked if there were any questions on the budget. Mr. Haskell pointed out that only \$6,719,848.62 of the \$11,728,136 which had been budgeted as revenue had been received and asked when the remainder was anticipated. Tawn Driscoll, Fiscal Manager of the Public Health Department, responded that August through December revenues would be included by the beginning of next year. Mr. Champagne noted that the Department's budget was consistent with that of the October figures from previous years. Ms. Auer noted that they would be a few months into 2009 before all of the revenue for 2008 was collected.

Ms. Auer stated that Rick Murphy, Deputy Commissioner of Fiscal Services, had requested that she submit a budget amendment for \$1 million to cover a shortfall in the revenue for Physically Handicapped Children. She explained that in the past the Health Services Department had been over budget at the end of every year. She said that the County had no control over the Preschool Program and was at the mercy of the school districts. She added that the Committees for Preschool Special Education made the decision as to where each child was placed. She apprised that in 1992 there had been 126 children in the Program, the amount of tuition approved had been \$1,063,715 and the amount for transportation had been \$192,670. She added that for 2006/2007 there were 357 children in the Program, the amount of tuition approved was \$3,045,000 and \$968,000 for transportation. She said that the State reimbursement rate had remained at 59.5%.

Ms. Auer stated that more children were receiving services for 12 months out of the year as opposed to 10 months. She added that a large portion of the children were developmentally delayed or autistic and attended school the entire year. She continued that some children were in additional programs, such as speech therapy, that went beyond the average school day. She added that the amounts paid for these services

were tuition costs as opposed to fee for services, which meant the services were paid for regardless of attendance. She noted that the rates for the services were established by the Department of Health. She stated that in 1992/1993 the schools did not bill the County for administrative costs as they do now. She added that in 2007/2008, \$38,000 was paid to the school districts in administrative costs. She explained that time frames were meaningless and there was a rate setting methodology that was used that had not changed in many years. She apprised that if a school district did not offer a particular service, they had to find another place that did offer the services which added to the costs. She noted that there were many factors that accounted for the administrative costs which increased yearly along with the costs of tuition.

Ms. Driscoll explained that the budget amendment would need to increase appropriations by \$986,000 and increase revenues by \$595,000, which would mean an additional expense of \$391,000 to the County. She added that they had just received the new tuition rates for Prospect Child and Family Center, which had increased by \$3,000 from \$23,800 per child in 2007/2008 to \$26,800 per child for 2008/2009 plus transportation costs of \$39,000 per year for a child with an aide. Mr. Tessier asked when the Early Intervention Program had been initiated and Ms. Auer responded that it used to be operated through the Family Court system and became an entitlement in 1993. Ms. Driscoll noted the Board of Cooperative Educational Services (B.O.C.E.S.) tuition was \$26,400 for 2008/2009, as opposed to \$25,100 for 2007/2008. She explained that the rates stated were initial rates that could be increased at a later date, even years later, and the County would be required to pay retroactively. She added that the facilities could request up to three of these rate reconciliations. She said that the majority of the \$1 million was from rate reconciliations from 2003 through 2005 and the remainder was due to the increase in the 2008/2009 tuition rates. Ms. Auer apprised that there was no way to know the amount in advance and therefore they were unable to budget for the necessary amount.

Mr. Payne questioned why the facilities would come back three years later to say that they did not charge enough in 2005 and Ms. Auer responded that the State allowed them to do so. She added that the rate setting methodology was flawed. Mr. Haskell asked if \$391,000 was needed to balance the Department's budget and Ms. Driscoll responded affirmatively. Ms. Driscoll noted that last year the program costs had been \$4.6 million for tuition and expenses. Mr. Sokol asked if there was legislation for this issue and Ms. Auer replied that it was ongoing.

Mr. Payne asked if an additional \$1.4 million could be budgeted for 2009 to prevent this problem in the future. Ms. DeLorenzo stated that there had been a significant increase in the total cost of the Preschool Program from 2006/2007, which caused the independent auditor to specifically look at the program. She added that the auditor had reviewed the rate setting methodology and had worked closely with Ms. Driscoll to get the facts needed to verify the figures. She apprised that when they prepared the budget, rather than adding 5% to the 2007 actual figures, they had added 5% of 2008 and 2009 and purposely increased it by 10%. She added that there were so many variables that it was difficult to estimate how much the actual costs would be. Ms.

Driscoll noted that most of the therapists used were in-house therapists. She added that they paid back the CHHA (Certified Home Health Agency) which offset a lot of the costs. Ms. Auer interjected that those costs did not include the tuition.

Mr. Tessier noted that prior to the establishment of the program, these children did not receive educational services until kindergarten. Ms. Auer stated that parents wanted to do the best they could for their children and if they knew of a child that was receiving services they wanted services for their child as well. Mr. Champagne apprised that it was a question of regulating the level of need. He said that they needed to work either with State Legislators or the State Department of Education to set parameters. Mr. Tessier questioned how successful the Program was and Ms. Auer responded that if a child received services they would most likely be set up for success by the time they entered the school system. Ginelle Jones, Assistant Director of Public Health, noted that the State was in the third year of a Child Outcome Study, which tracked children who had received Early Intervention Services. She said the study was flawed because it was based on subjective opinions. Ms. Auer apprised that there was standardized eligibility criteria for entering the programs; however, she added, once the children were in the programs further participation was based on clinician judgement. Mr. Tessier asked if every state had the same program and Ms. Auer responded affirmatively.

Ms. Auer requested the following:

- ▶ to amend the 2008 County budget to increase revenues in the amount of \$595,000 and appropriations in the amount of \$986,000 to reflect expenditures and revenues related to the mandated Physically Handicapped Children's Preschool Program and to request that the shortfall of \$391,000 be provided through a transfer from the General Fund Unappropriated Surplus;
- ▶ a transfer of funds in the amount of \$14,000 from the Health Services-CHHA Insurance General Liability Code (A.4010.418) to the Physically Handicapped Program-Education Code (A.4054.444) to alleviate a small portion of the required funds; and
- ▶ a transfer of funds in the amount of \$36 from the Physically Handicapped Program-Preschool-Postage Code (A.4054.424) to the Physically Handicapped Program-Furniture/Fixtures Code (A.4054.210).

Motion was made by Mr. Haskell, seconded by Mr. Champagne and carried unanimously to approve the requests for transfers of funds and to amend the 2008 County budget as outlined above and to forward same to the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

As there was no further business to come before the Health Services Committee, on motion made by Mr. Haskell and seconded by Mr. Champagne, Mr. Sokol adjourned the meeting at 10:57 a.m.

Respectfully submitted,

Charlene DiResta, Sr. Legislative Office Specialist